

## Research Article

# Nonmuslim Membership Recruitment in The Islamic Party: Islamic Perspective

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## ABSTRACT

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This research aims to find out the membership status of non-Muslims in Islamic Parties from the perspective of Islamic law. As a Party that has made Islam a Party principle, the Islamic Party should consistently use Islam (Islamic sharia) as a guideline in regulating Party activities, including in terms of recruiting Party members. Based on normative research methods on the texts of the Al-Qur'an, through a statutory and conceptual approach, it is known that Islamic Parties must take their membership from among the Muslims themselves. In the Al-Qur'an there is an order for Muslims to form a congregation or party that call to al khair, and do amar makruf nahi munkar, and this order only applies to Muslims. Muslims are prohibited from making non-Muslims close friends or making non-Muslims leaders, whether party leaders or community leaders. Therefore, Islamic Parties must not take, accept and make non-Muslims as party members, or make them leaders, either as party leaders or leaders of the Ummah.

## 1. INTRODUCTION

The political landscape after the New Order was disbanded created political euphoria marked by the proliferation of political parties, especially those based on Islam (Mukrimin 2012) In fact, since 2014, Indonesia has been politically polarized. This polarization can be seen in the party system which is divided into two main ideologies: Islamic parties seek a more prominent role from Muslim sympathizers. In contrast, pluralist nationalist parties draw attention to the multi-religious outlook in Indonesia (Winarni 2022).

The collapse of the authoritarian regime and the start of democratic elections in Indonesia raised hope and confidence among various religious elites and organizations that they could gain better access to state power. Through participation in formal politics, they also hope to achieve the vision of their society. Some have chosen to establish political parties to participate in electoral competitions (Hamayotsu 2012) With these Islamic Parties they participate in general elections in order to gain as many votes as possible, where they hope to gain control of parliament and government. Islamic religious elites believe that through participation in formal politics, they can achieve their vision of an ideal society, in accordance with their interpretation of Islamic teachings, using a top-down strategic model (Wanto 2012).

Even though the Islamic Party has been formed, in dealing with and carrying out its activities they are sometimes no different from "nationalists" who are very permissive. As a result, there is no significant difference between those who claim to be "nationalists" and those who claim to be "Islamic". In the member recruitment system, for example, the Islamic Party does not seem to have clear standards in recruiting members or recruiting candidates for legislative members and regional heads. The recruitment system for Islamic Party members based on Islam generally uses an open system, where all Indonesian citizens, both Muslims and non-Muslims, can enter and register as party members or be nominated as regional head candidates. In fact, Islam, which is used as the principle of the Party, is a religion that teaches various life guidelines from faith, worship, social, to politics (Nasrullah 2015), including guidelines for running the life of a Political Party.

It is noted that the Prosperous Justice Party (PKS) has non-Muslim members and administrators in Konawe Regency, Southeast Sulawesi (Anon n.d.-h), Bali, East Nusa Tenggara, and Papua (Anon n.d.-g). The United Development Party (PPP) also has non-Muslim members who sit as members of the Council in West Papua (Anon 2023). And Partai Bulan Bintang (PBB) is also open to various religions, and states that it already has a number of management staff filled by non-Muslims (RM.ID n.d.-b).

In several articles or research on Islamic parties, no research was found that discussed political membership recruitment in terms of the religious status of prospective party members, whether they are required to be Muslim or not, and what is the view of Islamic law if the recruited member is a non-Muslim? Therefore, this research is different from other research, such as the article entitled "Perubahan Pola Rekrutmen Calon Anggota Legislatif Partai Keadilan Sejahtera Pasca Ditetapkan Sebagai Partai Terbuka Pada Pemilu 2014 Di Kota Semarang" (Pratama, Fitriyah, and Adnan 2014), then the article entitled "Electoral Power Structure of Islamic Parties in Reform Era Indonesia" (Romli 2020), and a thesis entitled "Sistem Pengkaderan Di Kalangan Partai Islam (Studi Tentang Tarbiyah PKS Di Yogyakarta)" (Dhiharso 2011). Therefore, it is interesting to study how Islam views non-Muslim membership in Islamic parties.

## 2. RESEARCH METHODS

The type of research used is normative legal research, with a statutory approach and a conceptual approach. Legal science has distinctive and unique research methods (Sonata 2014), both theoretical and practical, which according to William H Putman as quoted by David Tan, legal research has the meaning of finding out (Tan 2021). According to Peter Mahmud, legal research is a process of discovering legal rules, legal principles and legal doctrines in order to answer the legal issues faced (Marzuki 2011:35). In this case, normative legal research is legal research that focuses on rules or principles in the sense that law is conceptualized as norms or rules originating from statutory regulations, court decisions, or doctrines from leading legal experts (Bachtar 2018:57). However, different from conventional law, Islamic law as a religious teaching places its primary source of law in two sources, namely the Al-Qur'an and the Sunnah of Rasulullah (Arfa and Marpaung 2018:47), so in this research it places the Al-Quran and Sunnah of Rasulullah as a source of normative reference. And Islamic law contained in the Qur'an and Assunnah can only be understood through fuqaha (Islamic legal experts) (Arfa 2010:58-59).

## 3. RESULTS AND DISCUSSIONS

Recruitment and selection is an integral part of the overall human resource management and planning process of an organization. The goal is to implement a process of identifying and attracting a pool of candidates in a timely manner, in sufficient numbers, and with appropriate qualifications (Baron, Musthafa, and Agustina 2018:187). Taylor and Collins state that recruitment is "the most important function of human resources for the success and survival of an organization" (Taylor and Collins 2000). The success of an organization lies in its human resources; Therefore employee recruitment is quite important for the survival of an organization (Phillips and Gully 2015).

Law Number 2 of 2008 concerning Political Parties (as amended by Law Number 2 of 2011 concerning Amendments to Law Number 2 of 2008 concerning Political Parties) does not make cadre formation an obligation that must be carried out by political parties. Without regular cadre formation activities with a standard cadre system, political parties will ultimately be nothing more than mass organizations dressed as "political parties". On the one hand, recruitment of public officials is carried out by Political Parties, even introduced in the amended 1945 Constitution, but on the other hand, ironically the state tends to view political cadre formation by Political Parties as an internal activity solely in accordance with the Articles of Association/Bylaws of each Political Party (Bhakti and Nurhasim 2016:49). In fact, cadre formation is important for a political party, because it is the core of the continuation of the party's struggle in the future and also the essence of the existence of a political party. Without leadership cadre, it is very difficult to imagine that a political party can move and carry out its duties well and dynamically. Leadership cadre formation is an absolute requirement in building an independent and sustainable work structure (Bhakti and Nurhasim 2016:51).

Michael Rush and Phillip Althoff said that the aim of cadre formation and political education is to improve the quality of members so that later they (members) will be able to face the problems and challenges that are always developing in the political life of society, nation and state. Therefore, the cadre system in political parties must be made effective in forming cadres with integrity, professionalism and credibility to offer (provide) quality political products to the voter market (Areza 2020:21-22).

One form of cadre formation that political parties can carry out is through member recruitment. According to the Political Party Law, every Indonesian citizen can become a member of a Political Party if they are 17 (seventeen) years old or have/have been married, and agree to the Party's Articles of Association and Bylaws. And political party membership according to the Political Party Law must be voluntary, open and non-discriminatory for Indonesian citizens (Anon n.d.-q).

Even though the Political Party Law has mandated that the recruitment process carried out by political parties be carried out democratically and openly, in the recruitment process the Law submits the recruitment process to the internal regulations of the Political Party through the Party's Articles of Association/Bylaws. So in the end it is party policy that determines how the recruitment design is created. Political recruitment is carried out in a closed, elitist and unaccountable manner, with an image that is far from political ideas (RM.ID n.d.-a).

This is also one of the bases for PKS in recruiting Party cadres and administrators from non-Muslim citizens. According to Hidayat Nur Wahid, former Chairman of PKS, PKS is a party open to all citizens, regardless of religion, as long as they meet the requirements to become members of a political party as regulated in the Political Party Law, Indonesian citizens aged 17 years or married, and agree to the Articles of Association and Party Bylaws (Anon n.d.-i). Anyone from any background, as long as they have integrity, can join as a PKS member and cadre (Anon n.d.-b). What is important for PKS is someone who wants to become a cadre and administrator, whatever their religion.

Likewise, PPP is open to non-Muslims (Nursam 2022), that this is considered not to be in conflict with the Party's Articles of Association/Bylaws, as long as the non-Muslims follow and comply with implementing the Party's Articles of Association/Bylaws. In fact, this is considered to be in accordance with the goals of Islam as a religion that gives grace to humanity (Media 2013). Meanwhile, the PBB is open to non-Muslims as a form of confirmation that the Crescent Star Party is an inclusive party, which is open to various religions (RM.ID n.d.-b), in addition to the difficulties in finding Muslim legislative candidates in areas where the majority are non-Muslims (Anon 2013).

Basically, the role of political parties as a means of political recruitment in order to increase community political participation is how political parties have quite a large contribution in terms of: (1) preparing cadres of political leaders, (2) selecting prepared cadres, and (3) fighting for placement of quality cadres. qualified, dedicated, has high credibility and has public support in a strategic political position (Sirajuddin 2009). However, in practice, the political recruitment system for public positions carried out by political parties tends to be based on political patronage, not capacity and leadership (U.B and Sukmana 2015). Political parties tend to recruit ready-made cadres, not cadres who have actually been raised and experienced the process of party life, thus creating a pattern of recruitment and cadre formation of political party members who are less loyal and qualified (Ristyawati 2019). Apart from that, political recruitment is not only the domain of political parties in nomination, but also the domain of voters who will vote, so in carrying out the function of political recruitment, political parties tend to consider the "market tastes" of voters, so that the popularity and electability of candidates are important considerations in political recruitment for parties. political. Candidates with dynastic backgrounds and financial capabilities are factors that limit who will be nominated by political parties to be exclusive (Fitriyah 2020).

The emergence of the political pragmatism attitude of the Islamic Party cannot be separated from the shift in ideology to pragmatics which is known as post-Islamism. Post-Islamism is considered to still reject secularism which is hostile to religion, but also rejects the idea of a theocratic state. Post Islamism is not anti-Islam and secular, in fact it really upholds religion and the freedom of its citizens, where Post Islamism has three characteristics, which are (1) tends to be pragmatic and realistic, (2) willing to compromise with political realities that are not completely in accordance with the Islam ideological scheme is what they believe in and imagine, and (3) it is very tolerant of different groups (Argenti et al. 2022).

They don't make the issue of ideology the main narrative in politics because they know that Indonesian voters don't like ideological symbols. Islamic parties' political programs are no longer based on religious and ideological interests, but tend to be pragmatic in politics, and prefer to pursue power rather than profit (Argenti et al. 2022).

The existence of this phenomenon reflects that the process carried out by politicians to obtain political office is no longer oriented towards the public interest, but tends to be used to fulfill personal or group interests. This phenomenon can cause processes such as coaching, preparation and selection of political cadres to not run as they should (Ristyawati 2019). The current phenomenon of naturalization of political party cadres from one party to another is considered to have experienced dysfunction in the pattern of political recruitment and cadre formation, and is considered to have failed in instilling party ideology in its cadres (Ristyawati 2019).

The openness of Islamic political parties in accepting party membership basically began during the New Order, where Pancasila became sacred and became the target of a very large indoctrination campaign. A number of

organizations linked to certain political or religious beliefs were no longer acceptable, including Islamic parties such as NU and Parmusi which were forced to merge to form PPP. Even the name of the United Development Party itself contains two main aspirations of the New Order government, called "Unity" and "Development". PPP became an open party, which in principle could accept non-Muslims as members. Its Islamic character was further eroded when the PPP had to declare Pancasila (not Islam) as the only principle (single principle) in 1985, which must also be adhered to by all other parties and organizations. The Minister of Religion, who at that time was Munawir Sjadzali, stated that the acceptance of the single principle was proof that Indonesian Muslims had officially abandoned the idea of an Islamic state, and thus eliminated the possibility of the birth of an Islamic state in Indonesia (Dijk 2009:57–58). With its openness, the Party becomes more pluralistic, open to all groups of society and able to accept diversity, starting from religious, cultural, ethnic, belief, language and even ideological diversity, all of which have the right to fight for their rights (Sylvany 2018).

Islamic Political Parties which are open in recruiting members and administrators, on the one hand are in accordance with the wishes of the Political Party Law which requires that Political Parties be open to all citizens, without any religious restrictions. However, on the other hand, political parties that have made Islam their party principle should also be committed to and bound by Islamic rules (sharia) as their principles. This is as stated by Akbar Sandro Yudho Dhiharso, that Islamic Political Parties are a collection of Islamic ideas and those who believe in them struggle to implement Islamic ideas in people's lives. The Islamic ideas that want to be realized are Islamic ideas which include a set of concepts and methods of implementation. And this Islamic idea must be fought for by Islamic political parties (Dhiharso 2011:15). Therefore, in carrying out Political Party activities, Political Parties that have made Islam their principle must be consistent in making Islam the basis of all Party activities.

In the legal system, a legal principle is something that becomes the basis, principle, benchmark, reference or general basis for thinking or having an opinion in compiling, formulating, discovering and forming legal provisions and regulations. This legal principle is the "heart" of legal regulations. This is because legal principles are the broadest basis for the birth of legal regulations. Legal principles will not exhaust their power by giving birth to a legal regulation, but will continue to exist and will give birth to further regulations (Rahardjo 1986:85).

Therefore, by making Islam a Party principle, Political Parties are obliged to consistently use Islam (Islamic law) as a guideline in regulating Party activities, including in terms of recruiting Party members. All Party activities must be able to return to the Party's principles, Islam, whether Party activities are appropriate and reflect Islamic values or not.

Political activities in Islam must be carried out within the boundaries of the Koran and the Sunnah of the Prophet ﷺ. This is because political activity is closely related to human action in the form of policies that are coordinated within the leadership and have the authority to set binding regulations. Human actions and policies are inseparable from assessment, and this assessment in the perspective of Islamic political thought must be based on fixed criteria in the Qur'an and the Sunnah of the Prophet ﷺ (Aly 2017:217).

In an Islamic congregation or organization, whether in the form of a political party or in other forms of organization, Islamic law limits membership to members from among Muslims only. It is not permitted to accept non-Muslims into its membership. This is based on several provisions contained in the verses of the Al-Qu'an, including:

### 3.1. Party or Congregation Membership Only From Muslims

One of the propositions from the Al-Qur'an which is the legal basis for the formation of Political Parties is Surah Āli 'Imrān verse 104:

وَلْتَكُنْ مِنْكُمْ أُمَّةٌ يَدْعُونَ إِلَى الْخَيْرِ وَيَأْمُرُونَ بِالْمَعْرُوفِ وَيَنْهَوْنَ عَنِ الْمُنْكَرِ ۚ وَأُولَٰئِكَ هُمُ الْمُفْلِحُونَ

*"There should be among you a group of people who call to virtue, enjoin (do) what is virtuous, and forbid what is evil. They are the lucky ones." (TQS. Āli 'Imrān [3]: 104) (Anon n.d.-a).*

From this verse, there are several confirmations as well as limitations that membership of a congregation or party is only from Muslims. First, the phrase *"waltakun minkum"* (وَلْتَكُنْ مِنْكُمْ) means "And let those of you (O believers)...", which emphasizes the obligation of the existence of a group of Muslims who call to Islam (Anon n.d.-j). The phrase *"minkum"* (مِنْكُمْ) is a word that shows the connotation of "some of you", namely believers as explained by ibn 'Athiyyah, al-Dhahhak, Imam Abu Bakr al-ashshash, Imam Fakhruddin al-Razi (Al-Atsari 2017:87), and Imam al-Qurtubi, that the word *"min"* (مِنْ) in the sentence *"minkum"* (مِنْكُمْ) is to indicate a part, and the people referred to are ulama (al-Qurtubi 2008a:411).

The call in Surah Āli 'Imrān [3]: 104 above is Allah ﷻ's call and command to Muslims, not other people, to form groups among themselves, the Muslims. As Ahmad Mushthafa al-Maraghiy said, the people spoken to in this verse are

all believers. They are subject to taklif in order to choose a group that carries out this obligation (al-Maraghiy 1989:36–37), so that among Muslims there is a group of people trained in the field of da'wah who firmly calls for virtue, enjoins what is good and preventing evil (Tim Tafsir UII 1995a:16).

In fact, according to Abdurrahman Muhammad Khalid, having political party membership only from Muslims is one of the requirements for a movement (harakah). If the Islamic group accepts non-Muslim membership, then the group (harakah) cannot be called an Islamic (harakah) group (Khalid 2015:4). Abdurrahman Al-Baghdadi emphasized that Islamic faith is one of the conditions that must be fulfilled by a congregation or party as the only bond that binds the congregation, both in thoughts and feelings (Al-Baghdadi 1997:89).

Second, the meaning of the words "*al-khair*" (الْخَيْر) and amar makruf nahi mungkar in surah Āli 'Imrān [3]: 104. "*Al-khair*" (الْخَيْر) according to Imam Jalalain is an Islamic teaching (Al-Mahalli and As-Suyuti 2005:249), or Islam and the Shari'a that Allah established for His servants according to Abu Ja'far dalam Tafsir Thabari (al-Thabari 2015a:706). Makruf is following Muhammad ﷺ and the religion he brought from Allah ﷻ, and munkar is the act of disbelieving Allah ﷻ and denying Muhammad ﷺ and everything he brought (al-Thabari 2015a:h. 706).

In the Ministry of Religion's interpretation, what is meant by virtue (*al khair*) is everything that brings humans closer to Allah ﷻ and keeps them away from His wrath. Makruf is everything that Allah commands or that is considered good by syara' and reason, while munkar is everything that is prohibited by Allah ﷻ or that is considered bad by syara' and reason (Anon n.d.-j).

Despite the differences in understanding the meaning of "*al-khair*" (الْخَيْر) and amar makruf nahi mungkar, the ulama agree that carrying out amar makruf nahi mungkar is an obligation for Muslims. And the obligation referred to according to the majority of ulama is fardu kifayah (Badarussyamsi, Ridwan, and Aiman 2020). For example Imam Ibnu Taimiyyah (Taimiyah 1995:4) and Imam Al Qurtubi (al-Qurtubi 2008a:411) argue that doing amar makruf nahi ungkar is included among the fardu-fardu kifayah. Imam Jalalain also believes that the command to amar makruf nahi mungkar is fardu kifayah which is not necessary for all people and is not appropriate for everyone, such as stupid people (Al-Mahalli and As-Suyuti 2005:249).

Referring to the explanation above, ideally the political activities of Islamic Political Parties should always be related to calls for Islamic virtue (*al khair*) and carrying out amar makruf nahi munkar in accordance with Islamic law. And this activity is part of sharia law, namely fardu kifayah, so this activity can of course only be carried out by Muslims. How can non-Muslims call to Islam (*al khair*) and do amar makruf nahi munkar if they themselves do not make Islam their belief, and they are not bound by the commands and prohibitions of Allah ﷻ to do amar makruf nahi munkar? Of course, this is very difficult, and maybe even impossible for them to do.

### 3.2. Prohibition of Making Non-Muslim People as Close Friends

John Kenneth White, quoting Edmund Burke stated that a party is a collection of people united, to advance by their joint efforts national interests, based on a certain principle on which they all agree (White 2006:6). And Ronald Reagan also emphasized that political parties are not fraternities, but rather people uniting in a political party because of certain beliefs about what government should be (White 2006:6). This means gathering and uniting people in a group or party because of the same understanding and beliefs between them.

Solidarity will not form in an association, let alone a party, if it is not based on mutual trust between members and administrators, like close friends, where they can share secrets with each other. Without trust between them, they will certainly not gather and unite in a group or party. In this case, membership participation in political parties occurs through processes such as policy formulation, leadership and candidate selection as well as their roles in party organs at all levels of the party structure (Maiyo 2008:6).

Linguistically, "close friend" means close (about friendship) (Anon n.d.-c), where someone gives his trust so that he can tell all his secrets in the language of the Koran is called "*bithanah*" (البِطَانَة), as mentioned in surah Āli 'Imrān [3]: 118, which means "O you who believe, do not take trusted friends (البِطَانَة) from people outside your circle (religion)-you (because) they never stop (bringing) harm to you. They want what bothers you. Indeed, hatred is evident from their mouths and what they hide in their hearts is greater. Indeed, We have explained to you (Our) verses, if you think." (TQS. Surah Āli 'Imrān [3]: 118) (Anon n.d.-k).

According to Abu Ja'far in the interpretation of Ath-Thabari (al-Thabari 2015a:771), Imam Jalalain (Al-Mahalli and As-Suyuti 2005), Imam Ibnu katsir (bin Katsir 2008:122) and Imam Al Qurtubi (al-Qurtubi 2008a:443), the word "*bithanah*" (البِطَانَة) means a close friend to whom you reveal your secrets, who knows everything about his friends (true friends), even though his own close friends sometimes don't know. In this case, the scholars agree on its prohibition, such as Abu Ja'far in the interpretation of Ath-Thabari (al-Thabari 2015a:771), Imam Jalalain (Al-Mahalli and As-Suyuti 2005:225), and Ibnu katsir (bin Katsir 2008:h. 122).

Someone who is designated as a member and administrator of the Party, then this is the same as making them a trusted friend (*bithanah*) with whom they will share various kinds of secrets, both Party secrets and other secrets. This is as regulated in Law Number 2 of 2008 concerning Political Parties, Article 15 paragraph (2) which gives Political Party members the right to participate in determining policies and the right to vote and be elected (Anon n.d.-q).

Imam Al-Qurtubi stated that it is not appropriate for believers to make unbelievers, Jews, and people who follow their desires interfere in their problems or become a place to lean on (a place to complain), or a place to discuss their opinions. It is not appropriate for you to discuss your problems with people who have different beliefs and religions than you (al-Qurtubi 2008a:443–44).

### 3.3. Prohibition of Using Non-Muslims as Leaders

In the party system, cadre formation and recruitment are two things that are part of the process of creating a leader, where leadership regeneration is the process of preparing someone to become a replacement leader in the future who will take on important and major responsibilities in an organization (Harahap 2017). Therefore, according to Bartolini and Mair, recruitment of political leaders is one of the largest function groups of political parties (Bartolini and Mair 2001:330). Through recruitment, the Party obtains cadres who are prepared to continue the life of the Party. And through cadre formation, the Party prepares and produces candidates who are ready to carry on the baton of organizational struggle to become future leaders who are ready to run their organization. So it cannot be denied that cadre formation is the lifeblood of an organization, because from this cadre formation process a Party cadre is born (Harahap 2017).

There are many definitions of cadres, including, in the online KBBI dictionary, cadres are defined as people who are expected to play an important role in the government, party, and so on (Anon n.d.-d). Cadre, which in foreign languages (English) is called cadre is defined as a small group of trained people who form the basic unit of a military, political or business organization (Anon n.d.-e); or a group of trained or qualified personnel capable of forming, training, or leading an extended organization, as a religious or political faction, or a skilled workforce (Anon n.d.-f).

Several important factors make leadership cadre formation very necessary, including: 1) There are provisions for a person's leadership period in an organization; 2) There is resistance from group members who want a change in leadership, whether natural or not; 3) The natural process of getting old and losing the ability to lead (retirement); 4) Death; and 5) Can form an organization with an estimated number of available leaders needed in the future on an ongoing basis (Harahap 2017).

Therefore, cadre formation is something that is closely related to how political party organizations prepare human resources who will work for the party, will lead the party and will be a source of political recruitment in filling political positions (Bhakti and Nurhasim 2016:5). However, often the pragmatic interest in winning elections makes political parties, in carrying out their political recruitment function, put aside political goals for the common good, so that political recruitment is more prominent based on considerations of popularity, electability and the strength of the candidate's financial capital or the candidate's "market taste". voters, which reflects very pragmatic political interests (Fitriyah 2020). This instant recruitment and cadre formation model is like making artists a tool for political parties to get votes (Harahap 2017).

And regarding cadre formation or political recruitment carried out by the Party to prepare potential leaders, whether party leaders (administrators) or as political leaders (public positions), such as Heads of State, Regional Heads and Council Members, Islam has provided guidance. Among the demands of Islamic law in choosing leaders is the prohibition on taking non-Muslims as leaders. This is as emphasized in the Qur'an in surah Āli 'Imrān [3]: 28, which means: "Let not the believers make unbelievers as guardians (أَوْلِيَاءَ) to the exclusion of the believers. Whoever does that, it is not at all from Allah's (teachings), except to protect yourself from something that you fear from them. Allah warns you about Himself (His torment). Only to Allah is the place of return." (TQS. Āli 'Imrān [3]: 28) (Anon n.d.-l).

The word "*auliyā*" (أَوْلِيَاءَ) is the plural form of the word "*wali*", which literally means "close" so it shows the meaning of close friend, close friend, loyal friend, lover, helper, ally, protector, defender, and leader (Anon n.d.-l).

According to Abu Ja'far, this is a prohibition from Allah ﷻ to believers not to make unbelievers friends and helpers (al-Thabari 2015a:205), or take them as leaders (Al-Mahalli and As-Suyuti 2005:218). Basically, Islam does not prohibit Muslims from associating with non-Muslims as well as possible. However, "*al-wala*", faithfulness, loyalty is outside the frame of muamalah bil husna (good company). "*Al-wala*" is mutual attachment, helping each other, and loving each other. And this will not exist in the hearts of those who truly believe in Allah ﷻ.

In Tafsir Al-Muyassar, the Ministry of Religion of Saudi Arabia explains that Allah ﷻ forbids believers from appointing unbelievers as people who take priority in providing love and help to them without caring about the

believers. Likewise, in Tafsir Al-Mukhtashar, Markaz Tafsir Riyadh, it is explained that believers are prohibited from making infidels the leaders you love and defend by abandoning the believers. Being a guardian means loving and being gentle towards them, and inclining your heart to help them (Anon n.d.-n).

Ibnu Abbas in his interpretation of Al Qurtubi states that in this verse Allah SWT forbids believers from making good terms with unbelievers, to the point of making them their leaders and helpers (al-Qurtubi 2008a:156). Sayyid Qutb also emphasized that one of the meanings of Surah Ali Imran is to remind us not to use non-Muslims as leaders and not to take lightly the warning that prohibits appointing infidel leaders (Qutb 2012:24).

The prohibition on making non-Muslims leaders over believers is also emphasized by Allah ﷻ in surah Al-Mā'idah verse 51, which means "O you who believe, do not make Jews and Christians your loyal friends." Some of them become loyal friends to others. Whoever of you makes them loyal friends, then indeed he is among them. Indeed, Allah does not guide unjust people." (TQS. al-Mā'idah [5]: 51) (Anon n.d.-o).

According to Abu Ja'far, indeed Allah ﷻ forbade all believers to make Jews and Christians, and other than them (polytheists) as helpers and leaders and other than them. Whoever makes them (Jews and Christians) as helpers, leaders and guardians apart from Allah ﷻ and His Messenger and the believers, indeed he has been included in their group in disobeying Allah ﷻ and His Messenger and the Believers, and they severing ties with Allah ﷻ and His Messenger (al-Thabari 2015b:103).

In Tafsir Al-Madinah Al-Munawwarah it is explained that Allah ﷻ forbids believers from making Jews and Christians their lovers and leaders after all their cases are revealed; they always violate agreements, disobey, deny, mislead, and change Allah's verses (Anon n.d.-o). Believers are prohibited from taking infidels to be their protectors and helpers (Tim Tafsir UII 1995b:h. 469), and the law cannot make non-Muslims their leaders. This applies forever until the Day of Judgment (al-Qurtubi 2008b:519).

Apart from surah Al-Mā'idah verse 51, the prohibition on making non-Muslims as leaders is also found in surah Al-Mumtahanah verse 1, which means: "O you who believe. Do not make My enemies and your enemies loyal friends. You tell them (things that should be kept secret) because of (your) affection for them. In fact, they have denied the truth that came to you. They expelled the Messenger and you (from Mecca) because you believed in Allah, your Lord. If you go out to wage jihad in My path and seek My pleasure, (do not do that). You tell them in secret (things that should be kept secret) out of affection. I know more about what you hide and what you reveal. Whoever of you does this has truly strayed from the straight path." (TQS. al-Mumtahanah [60]: 1) (Anon n.d.-m).

In Zubdatut Tafsir Min Fathil Qadir explained that this verse refer to prohibition to make non-moeslims as close friend with unbelievers with any reason (Anon n.d.-p). Abdurrahman bin Nashir as-Sa'di also explained that taking the enemies of Allah ﷻ and your enemies into loyal friends, to the point of loving them and doing things because of that love, then in this way a servant will come out of the faith and be included among the people -unbelievers. Believers who use non-Muslims as helpers also have no self-respect, because how can they make enemies as their leaders who only want evil for them and oppose His Rabb and His lovers who want good for them by commanding and encouraging them to do good? They have disbelieved in the basis of your religion, they think that you are in error, not above guidance, when in fact they are the ones who disbelieve in the truth of which there is no doubt (Anon n.d.-p).

Imam al-Qurtubi emphasized that surah al-Mumtahanah [60] verse 1 is the basis for the prohibition on making non-Muslims loyal friends (*bithanah*) or guardians (*auliya*) (al-Qurtubi 2008c:341). And this law also applies to a political party in carrying out political recruitment, both for member and leadership recruitment.

However, in the Islamic system, there is no prohibition on non-Muslims becoming members of the people's representative council (ummah assembly). It's just that there are restrictions on their involvement in parliament regarding the formation of laws based on the principles of Islamic law. Because laws in Islamic countries are the exclusive domain of Muslim legal experts and the implementation of ijtihad, this does not apply to Muslims who do not meet the requirements or non-Muslims who do not meet the requirements in this process. As for other public functions, both Muslims and non-Muslims can compete for these positions on an equal basis (Thaib 2012).

#### 4. CONCLUSION

In the view of Islamic law, Islamic Parties are only formed and take their membership from among the Muslims themselves. Because the order to form a congregation or party applies to Muslims only. Does not apply to non-Muslims. Therefore, Islamic Parties cannot take, accept and make non-Muslims party members. Apart from that, making them (non-Muslims) party members is the same as making them close (intimate) friends, and that is prohibited by Allah. Apart from that, making them (non-Muslims) as members is also the same as preparing and making them as cadres and leaders, both party leaders and public leaders. And making them (non-Muslims) as leaders has also been prohibited by Allah.

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